



QUALCOMM Incorporated

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June 14, 2011

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ET Docket Nos. 10-236 and 06-105
Written *Ex Parte*: Promoting Expanded Opportunities for Radio Experimentation and
Market Trials Under Part 5 of the Commission's Rules and Streamlining Other Related
Rules

Dear Ms. Dortch:

QUALCOMM Incorporated hereby extends and clarifies its comments¹ filed earlier in this proceeding.² Effective May 24th, 2011, Atheros Communications, Inc. was acquired by QUALCOMM Incorporated in a stock transaction. After closing, Atheros was re-named Qualcomm Atheros, Inc., a wholly owned subsidiary of QUALCOMM Incorporated. Qualcomm Atheros is a leading fabless designer of semiconductor chips used in devices employing WiFi, Bluetooth, Ethernet, power line, and related broadband connectivity options.

Qualcomm recently reviewed the Commission's proposals in the above-referenced proceeding in light of the activities of Qualcomm Atheros. Qualcomm in its Comments supported the proposed 1200 unit importation limit,³ but now proposes that the limit be increased to 3000 for both importation and sale of uncertified devices. This higher limit would better reflect today's marketplace for semiconductor chips incorporated into broadband devices and more effectively increase wireless experimentation and innovation in the U.S.

Qualcomm Atheros foresees importing and selling module reference designs to many developers in the United States in quantities that could exceed the proposed total importation limit of 1200 units. These modules are used for engineering evaluation and development of end product unlicensed

¹ See Comments of QUALCOMM Incorporated, ET Docket Nos. 10-236 and 06-105 (dated March 10, 2011).

² See Notice of Proposed Rulemaking, ET Docket Nos. 10-236 and 06-105, 25 FCC Rcd 16544 (2010).

³ *Id.* at paras. 67, 70-71; see Appendix A, Proposed Rules, at §§ 2.1204(a)(3)(ii) (importation) and 2.803(c) (sale).

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devices. Many of these modules are for the PC industry where a single large PCOEM customer may order hundreds of units of the same module for these purposes. Over the course of a product's lifecycle, which can last up to 5 years, a single module may be ordered multiple times by various customers so that the total quantity may approach 3000 of the same module. To accommodate these large orders, we respectfully request that up to 3000 pre-certification units of the same model be allowed for importation and sale. Adopting this higher limit will increase wireless experimentation and innovation within the U.S. while reducing the burdens of waivers and associated reporting requirements.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being electronically filed with your office. If you have any questions, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. R. Brenner", with a long horizontal flourish extending to the right.

Dean R. Brenner
Vice President, Government Affairs